



PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|------------|----------------|------------------|--------------|
| Applicant: | Terry | Attorney Docket: | 0960-017 |
| Serial No: | 09/818,378 | Examiner: | Not Assigned |
| Filed: | March 27, 2001 | Art Unit: | Not Assigned |

TITLE:

ARCHITECTURE AND METHOD FOR AUTOMATIC DISTRIBUTED GAIN
CONTROL FOR MODEM COMMUNICATIONS OVER PASSIVE MULTIPOINT
NETWORKS

INFORMATION DISCLOSURE STATEMENT

RECEIVED

AUG 12 2003

Assistant Commissioner for Patents
Washington D.C. 20231

Technology Center 2600

Although a Filing Receipt has not yet been received for the above-referenced subject application, Applicant transmits herewith Form PTO/SB08A listing documents provided with this Information Disclosure Statement that may be relevant to the subject application. Copies of the documents listed in Form PTO/SB08A have not been submitted as they were previously submitted with co-pending U.S. Patent Application Serial No. 09/482,657 filed on January 13, 2000. If the Examiner prefers copies of the cited art, Applicant will provide them.

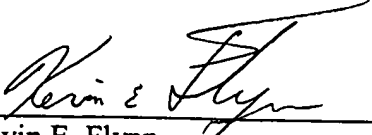
It respectfully requested that the documents listed on Form PTO/SB08A be considered by the Examiner and an initialed copy of the form be returned to the undersigned. It is believed that this disclosure complies with the requirements of 37 CFR §§ 1.56, 1.97 and 1.98 and the MPEP § 609. If for some reason the Examiner considers otherwise, it is respectfully requested that the undersigned be called so that any deficiencies can be remedied.

Submission of this document is consistent with the broadest interpretation of the duty of disclosure. In accordance with the rule for patent prosecution, such a submission is not to be construed as an admission that the information cited in the Information Disclosure Statement is, or is considered to be, material to patentability as defined in §1.56. Applicant respectfully reserves the right to challenge a conclusion that any of the submitted material represents information constituting prior art to the present application or that the information that applicant has located would be of the type used by one of ordinary skill in the art in solving the problems addressed in the present application. The submission of this form is consistent with the duty of

disclosure and should not be interpreted as an indication that applicant has made a prior art search such that the examiner should not undertake to conduct an independent prior art search.

Dated: April 17, 2001

Respectfully submitted,



Kevin E. Flynn
(Reg. No. 37,325)

Daniels & Daniels, P.A.
P.O. Drawer 12218
Research Triangle Park, NC 27709
Voice 919.544.5444
Fax 919.544.5920
email Kflynn@daniels.com

Enclosures

\\DANIELS_FS1\SYS\CL\0960-017\As filed\IDS Transmittal.doc

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

| | |
|------------------------|----------------|
| Application Number | 09/818,378 |
| Filing Date | 03/27/2001 |
| First Named Inventor | Terry, John B. |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 0960-017 |

Sheet 1 of 1

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Issue Date of Cited US Patent MM-DD-YYYY | Concise Explanation of Relevance for art submitted in a foreign language (Optional for prior art in English) MPEP 609 (A)(3) |
|------------------------|--------------------------|----------------------|--------------------------------------|---|--|--|
| | | Number | Kind Code ² (if known) | | | |
| | | 4,534,024 | | Maxemchuk | 08 06 1985 | |
| | | 5,299,314 | | Gates | 03 29 1994 | |
| | | 5,329,308 | | Binns | 07 12 1994 | |
| | | 5,343,240 | | Yu | 08 30 1994 | |
| | | 5,408,259 | | Warwick | 04 18 1995 | |
| | | 5,488,412 | | Majeti | 01 30 1996 | RECEIVED AUG 12 2003 Technology Center 2600 |
| | | 5,499,047 | | Terry | 03 12 1996 | |
| | | 5,512,935 | | Majeti | 04 30 1996 | |
| | | 5,534,913 | | Majeti | 07 09 1996 | |
| | | 5,557,319 | | Gurusami | 09 17 1996 | |
| | | 5,708,961 | | Hylton | 01 13 1998 | |
| | | 5,722,041 | | Freadman | 02 24 1998 | |
| | | 5,729,549 | | Kostreski | 03 17 1998 | |
| | | 5,767,895 | | Yashiro | 06 16 1998 | |
| | | 5,790,806 | | Koperda | 08 04 1998 | |
| | | 5,802,449 | | Beller | 09 01 1998 | |
| | | 5,805,806 | | McArthur | 09 08 1998 | |
| | | 5,835,127 | | Booth | 11 10 1998 | |
| | | 5,841,992 | | Martin | 11 24 1998 | |
| | | 5,852,437 | | Wugofski | 12 22 1998 | |
| | | 5,870,134 | | Laubach | 02 09 1999 | |
| | | 5,881,362 | | Eldering | 03 09 1999 | |
| | | 5,893,024 | | Sanders | 04 06 1999 | |
| | | 5,905,942 | | Stoel | 05 18 1999 | |
| | | 5,930,475 | | Yashiro | 07 27 1999 | |
| | | 5,943,604 | | Chen | 08 24 1999 | |
| | | 5,968,118 | | Sutton, Jr. | 10 19 1999 | |
| | | 5,986,691 | | Henderson | 11 16 1999 | |
| | | 5,991,800 | | Burke | 11 23 1999 | |
| | | 5,999,970 | | Krisbergh | 12 07 1999 | |
| | | 6,005,861 | | Humpleman | 12 21 1999 | |
| | | 6,014,545 | | Wu | 01 11 2000 | |
| | | 6,055,297 | | Terry | 04 25 2000 | |

Examiner
SignatureDate
Considered

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Patents in This Submission

74

Application Number

09/818,378

Filing Date

03/27/01

First Named Inventor

Terry, John B.

Group / Art Unit

Not Assigned

Examiner Name

Not Assigned

Attorney Docket No.

0960-017

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Response
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☐ Additional Enclosure(s) (please identify below):

Cited Art
Form PTO/SB/08A
Return Receipt Postcard

Remarks

RECEIVED

AUG 12 2003

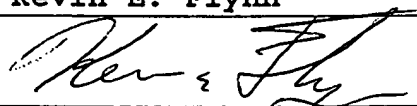
Technology Center 2600

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Kevin E. Flynn

Signature



Date

09/24/2001

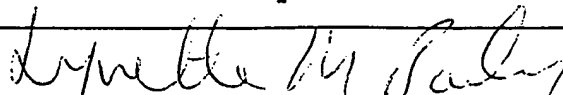
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Lynette M. Bailey

Signature



Date

09/24/01